

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

May 5, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on April 28, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Tiffer; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending May 4, 2011 in the amount of \$ 252,822.82 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of April 28 – May 4, 2011
- Report from the Building Inspector's Office from April 28 – May 3, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council in the amount of \$ **303,575.87** are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Rabideau
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. **PERSONS ADDRESSING COUNCIL: None**

7. **OTHER ITEMS:**

A. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2011-5-1 “Wooden Utility Poles.” Bid Opening Date: May 31, 2011 at 11:00 am.

By Councilor Jackson; Seconded by Councilor Case
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign an agreement with “Universally Accessible Treehouse Design/Build” in the amount of \$2,000 for preliminary site plan drawing/conceptual design of a handicapped accessible treehouse as an amenity to the Saranac River Trail Project.

By Councilor Tiffer; Seconded by Councilor Rabideau
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign Amendment No. 1 to agreement with Atlantic Testing for Contract #2011-02, “Asbestos Consulting Services.”

By Councilor Tiffer; Seconded by Councilor Case
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves that the vote be rotated on a weekly basis.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion:

Councilor Carpenter said actually I've given this resolution some thought over the last week and a half and I have 2 comments I'd like to make. One is the most important vote made in the room on any motion is the 4th like vote. It doesn't matter where it is but that 4th like vote actually makes the decision. That vote has never been made on this side of the room and it can under the way things are working now never be made on this side of the table because we're the first 3 votes. But in truth, it doesn't matter wherever I vote that's where I'm going to vote. It doesn't mean that I am more important or less important as to where I vote that's my first point. My second one is, I've got 28 years in the Department of Corrections and I've seen tons of people come and get promotions and say I've got an idea and I'm going to fix this and if its not broke they change it and it never works out and it always goes back to the way it was. So unless there is a reason to fix it I'm certainly not for voting to do it and try and see what it does. So I won't be voting for this unless you can come up with a real legit reason why it is important to do and how it will benefit the City of Plattsburgh.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(Councilors Tiffer, Rabideau [said just to clarify it doesn't make any difference to me how it goes so I'll go along with it] and Jackson voted in the affirmative. Councilors Carpenter, Calnon and Case voted in the negative. Mayor Kasprzak broke the tie in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

E. Motion to waive rule 4 for initial consideration "Request from Kevin Farrington City Engineer to advertise for bids for Contract #2011-13, "Webb Island Foot Bridge Deck Replacement."

By Councilor Carpenter; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington City Engineer to advertise for bids for Contract #2011-13, "Webb Island Foot Bridge Deck Replacement."

By Councilor Carpenter; Seconded by Councilor Tiffer

Discussion:

Councilor Carpenter said Kevin can you take a second and explain why we are moving this tonight.

City Engineer Kevin Farrington said the school district has offered to assist with some funding for the bridge and they've encumbered some money in their fiscal year which will end on June 15th. So if they are going to spend those monies they have to have it encumbered by that time. We originally planned on having that in the Saranac River Trail project, but, right now it doesn't look like that contract is going to be out in time and awarded by that June 15th deadline. So rather than run the risk of losing the funding from the school district, my suggestion is that we put it out now as its own stand alone contract and we will get the funding assistance.

Councilor Rabideau said there was a committee and as the Mayor's aware of he served on a committee along with Tim Carpenter and myself. We've met with the school district several times over the last year and half and we discussed the bridge situation and the condition of the bridge and problems with the bridge. We even brought in to the meetings our City Engineer Kevin Farrington along with Mike Brodi to explain some of the past repairs that were made by the city and also some of the problems that were seen with this foot bridge. Much discussion with ourselves and the school district and this is something that really has to be done as Mike Brodi will tell you and our Engineer. The decking is very important, the foot bridge boards along the bottom and there's always problems that exist with the fencing on the side and the railings, but, we discussed all those things among other things. This is good that we moved this ahead because it is something that is timely that has to be done as our Engineer has said.

Councilor Tiffer said as someone who has utilized this for all my life as someone that has lived in the south end. I am really happy to see that we are going to move and approve that bridge. The boards as you were saying there are huge holes in it, there's a lot of patches and it really needs some attention. So I am happy to see that we're moving along this.

Councilor Carpenter said the only one small thing and I've mentioned it to you a few times is. I'd love to see it during the summer when schools not in session because that bridge is really important to the kids going back and forth to and from school in the south end.

City Engineer Kevin Farrington said yes absolutely in fact I put a completion date that is I think football practice starts about 2 weeks before school starts plus in addition to that I've added another couple of weeks just so there's a little safety factor.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Kasprzak to attend the NYCOM 102nd Annual Meeting in Saratoga Springs, NY from May 24 - 26,

2011 at an estimated cost not to exceed \$1,000

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Kevin Farrington City Engineer to advertise for bids for Contract #2011-13, "Webb Island Foot Bridge Deck Replacement." (**Move to agenda under "Other Items" Letter E**)
2. Request from Kevin Farrington City Engineer to advertise for bids for Contract # 2011-14, "Painted Pavement Markings."
3. Request from John Clute Corporation Counsel that the Council approve an adoption of policy on EDRLF loan subordination requests.
4. Request from John Clute Corporation Counsel that the Council take action on request from Pircox Incorporated to subordinate City EDRLF loan to new mortgage.
5. Request from Dave Powell Chief Plant Operator WPCP to advertise for sealed bids for Contract # 2011-12 "Instrumentation Services for WPCP." Bid Opening Date: June 2, 2011 at 11:00 am.
6. Request from Dave Powell Chief Plant Operator WPCP that Contract # 2007-06 "Hauling of Sludge for WPCP" be extended for one year with Drummac Septic.
7. Request from Dave Powell Chief Plant Operator WPCP that Contract # 2009-07 "Electrical Services for WPCP" be extended for one year with Grayco Electric.
8. SEQR Lead Agency determination for MacDonough Sewer Improvement Project.
9. Request from Jon Ruff Environmental Manager that the Council agrees to an amendment to engineering services agreement with Barton and Loguidice for Akey Landfill and that the Mayor be authorized to sign all necessary paperwork.
10. SEQR Finding and Negative Declaration; Eco Dock at Wilcox Dock City of Plattsburgh.
11. SEQR Finding and Negative Declaration; Eco Dock at Dock Street City of Plattsburgh.
12. Request from Fire Chief Paul Williams to attend the New York State Career Chiefs Meeting

in Albany, NY on May 17, 2011 at an estimated cost not to exceed \$350.

13. Request from Police Chief Desmond Racicot for one police officer to attend the “DCJS Homicide and Non Fatal shooting Training” in Buffalo, NY from May 25 – 26, 2011 at an estimated cost will not exceed \$564 and will be paid out of the Asset Forfeiture fund.
14. Request from Police Chief Desmond Racicot for one police officer and a civilian employee to attend the “2011 Annual New York Statewide TraCs Lead Agency Users Meeting” in Syracuse, NY from June 1 – 2, 2011 at an estimated cost not to exceed \$212 and will be paid out of the Asset Forfeiture fund.

10. NEW BUSINESS:

Councilor Carpenter said I just wanted to make everyone aware on the cheat sheet that we get every week Richard’s added a page on the back. I asked him about overtime and how we were doing overtime in the year compared to what we have budgeted out for the year. So he broke it down for me, he did an excellent job. If you look at it, it shows what each department budgeted overtime is and what are year to date budget should be and how much they’ve used and he gives a difference as to whether they are above or below. Thanks Richard

Mayor Kasprzak announces a Public Hearing on May 12, 2011 at 5 pm in the Common Council Chambers to hear public comments regarding the 2011 NYS Office of Community Renewal Community Development Block Grant Program application.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 5:46 pm